

## **REMARKS**

Claims 16, 17, 30, and 31 are pending in the application.

Claims 16, 17, 30, and 31 are currently amended and claims 17-22 and 32-41 are canceled. Applicant respectfully submits that no new matter is added to currently amended claims 16, 17, 30, and 31.

Applicant respectfully submits that entry of the currently amended claims is proper because the currently amended claims will either place the application in condition for allowance or in better form for appeal.

The drawings are objected to.

Claims 16-29 and 36-41 are objected under 35 U.S.C. §101.

Claims 16, 30, and 36 stand rejected under 35 U.S.C. §112, first paragraph.

Claims 16, 30, and 36 stand rejected under 35 U.S.C. §112, second paragraph.

Claims 16-41 stand rejected under 35 U.S.C. §101.

Claims 16-22 and 30-41 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,985,907 to Zambo et al., hereinafter, Zambo, in view of U.S. Patent Application Publication No. 2005/0091640 to McCollum et al., hereinafter, McCollum.

Applicant respectfully traverses the rejections based on the following discussion.

### **I. The 35 U.S.C. §101 Objection and Rejection**

Claims 16-29 and 36-41 are objected under 35 U.S.C. §101 and claims 16-41 stand rejected under 35 U.S.C. §101 because the Office Action asserts that the claimed invention is directed to non-statutory subject matter. The Office Action asserts that the claims 16-41 "are 'preemptive' and very abstract idea" and that claims 30-35 are directed to a computer program *per se*.

Applicant respectfully submits that independent claims 16 is currently amended to recite, in relevant part, "providing for said one user's use said applicable provisions of said codes".

Applicant respectfully argues that surely, providing the applicable provisions of, for example, a

legal code to a user for his or her use is a useful process, which complies with the statutory requirements of 35 U.S.C. §101.

Applicant respectfully submits that independent claim 30 follows legal precedent by reciting, in relevant part, "A program storage device readable by machine, tangibly embodying a program of instructions executable by said machine to perform an automated method for interpreting codes for one user's perspective from a plurality of users' perspectives for said one user's use, said method comprising ... .", in accordance with the ruling of In re Beauregard, 53 F.3d 1583 (Fed. Cir. 1995).

Applicant further respectfully submits that claims 30 and 31 are not directed to a computer program *per se*, instead the claims are directed to a program storage device ... , and hence, are not directed to non-statutory subject matter under 35 U.S.C. §101 by law.

For at least the reasons outlined above, Applicant respectfully submits that currently amended claims 16, 17, 30, and 31 fulfill the statutory requirements of 35 U.S.C. §101. The rejection of canceled claims 17-22 and 32-41 is moot. Withdrawal of the rejection of claims 30-41 under 35 U.S.C. §101 is respectfully solicited.

## **II. The 35 U.S.C. §112, First Paragraph, Rejection**

Claims 16, 30, and 36 stand rejected under 35 U.S.C. §112, first paragraph.

The currently amended claims have deleted the phrase, "interpreting codes for one user's perspective from plurality of user's perspectives for said one user's use", which the Office Action asserts is not related to a specified subject matter.

For at least the reasons outlined above, Applicant respectfully submits that currently amended claims 16 and 30 satisfy the statutory requirements of 35 U.S.C. §112, first paragraph. The rejection of canceled claim 36 is moot. Withdrawal of the rejection of currently amended, independent claims 16 and 30 is respectfully solicited.

## **III. The 35 U.S.C. §112, Second Paragraph, Rejection**

Claims 16, 30, and 36 stand rejected under 35 U.S.C. §112, second paragraph.

The currently amended claims have deleted the phrase, "interpreting codes for one user's perspective from plurality of user's perspectives for said one user's use", which the Office Action asserts is not related to a specified subject matter.

For at least the reasons outlined above, Applicant respectfully submits that currently amended claims 16 and 30 satisfy the statutory requirements of 35 U.S.C. §112, second paragraph. The rejection of canceled claim 36 is moot. Withdrawal of the rejection of currently amended, independent claims 16 and 30 is respectfully solicited.

#### **IV. The 35 U.S.C. 103(a) Rejection over Zambo and McCollum**

##### **A. The Zambo Disclosure**

Zambo discloses a method of codifying field claims, e.g., automotive warranty claims, with the most severe of the applicable condition codes. A field claim can be conditioned with the most severe of the applicable condition codes based on a severity ranking of the plurality of condition codes. (col. 2, lines 17-21).

Zambo also discloses that by using the simple keywords of Table 2 as the search criteria, any condition code applies if at least one of the keywords for that condition code is found in the text comment. Based on the technician text comment, the applicable condition code for the tire field claim is "TB6" since the Keyword "air" appears in the technician comment. Based on the customer text comment, the applicable condition codes for the tire field claim include "TA7" and TB2" since the keywords "transport" and "flat" appear in the customer comment, respectively. The applicable condition codes designated by using the simple keywords provide useful information regarding the type and effect of the tire failure. Specifically, "TA7", "TB2", and "TB6" refer to other structural damage, flat tire or puncture damage, and slow leaks. By reviewing the text comments provided for the example, this information accurately reflects the type and effect of the tire failure. (col. 6, line 65 to col. 7, line 14).

##### **B. The McCollum Disclosure**

McCollum discloses a rules definition language (RDL) for authoring rules used in concurrent processing. The RDL includes statements that facilitate efficient use of computer

resources by allowing a rule to be broken down into one or more instructions, and processing these instructions asynchronously to provide a more efficient use of the computer resources. Once processed into the instructions, results thereof can be passed among the instructions to facilitate process completion of the rule. (Abstract).

McCollum discloses a rule definition language (RDL) that includes statements that facilitate efficient use of computer resources by allowing a rule to be broken down into one or more instructions, and processing these instructions asynchronously to provide a more efficient use of the computer resources. Further, execution flow is carefully studied and planned to prevent infinite looping. Once processed into the instructions, results thereof can be passed among the instructions to facilitate process completion of the rule. (Paragraph [0005]).

Referring to Fig. 1, McCollum also discloses that the purpose of the rules definition language (RDL) 100 is to test assertions, enforce constraints using runtime information, make inferences, perform correlations, and communicate results of dynamic test to other components. In support thereof, the RDL 100 includes a number of statements 102 that facilitate structuring one or more rules 104 for concurrent processing. (Paragraph [0029]).

McCollum further discloses that rather than specifying polling as an attribute, where it is not conditional, it can be dynamically achieved within a rule. If a condition occurs which triggers a specific polling action, this is coded by making a call to Task.Poll. (Paragraph [0171]).

### **C. Arguments**

Currently amended, independent claims 16 and 30 recite in relevant part,

"applying evaluation functions to said target rules that represent said codes, to identify applicable provisions of said codes;

wherein a first evaluation function comprises one user's perspective of said codes;

and

wherein a second evaluation function comprises a triggering event relating to said codes;

identifying applicable provisions of said codes based on said first and second evaluations, wherein said applicable provisions of said codes match said evaluation functions as applied to said target rules; and  
providing for said one user's use said applicable provisions of said codes".

Zambo merely discloses a method of codifying field claims for a warranty from an automobile manufacturer, which searches a number of claims for keywords in order to condition a claim with the most severe of the applicable condition codes.

In contrast, the present invention describes at least the feature of evaluating a code from a user's perspective and a triggering event, not a degree of severity as in Zambo. Nor does Zambo identify applicable provisions of a code based on the evaluations from a user's perspective and a triggering event.

Nowhere does Zambo disclose, teach or suggest at least the present invention's features of: "applying evaluation functions to said target rules that represent said codes, to identify applicable provisions of said codes; wherein a first evaluation function comprises one user's perspective of said codes; and wherein a second evaluation function comprises a triggering event relating to said codes; identifying applicable provisions of said codes based on said first and second evaluations, wherein said applicable provisions of said codes match said evaluation functions as applied to said target rules", as recited in currently amended, independent claims 16 and 30.

McCollum merely discloses a rules definition language (RDL) for authoring rules used in concurrent processing of computer instructions that facilitate efficient use of computer resources by allowing a rule to be broken down into one or more instructions, and processing these instructions asynchronously to provide a more efficient use of the computer resources. McCollum is talking about computer code!

In contrast, the code of the present invention comprises "any of laws, policy statements, contract provisions, agreements, regulations, rules of association, constitutions, and codes of conduct. That is, the present invention is directed to codified rules, such as laws, etc.

Furthermore, nowhere does McCollum disclose, teach or suggest at least the present invention's features of: "applying evaluation functions to said target rules that represent said codes, to identify applicable provisions of said codes; wherein a first evaluation function comprises one user's perspective of said codes; and wherein a second evaluation function comprises a triggering event relating to said codes; identifying applicable provisions of said codes based on said first and second evaluations, wherein said applicable provisions of said codes match said evaluation functions as applied to said target rules", as recited in currently amended, independent claims 16 and 30.

For at least the reasons outlined above, Applicant respectfully submits that Zambo and McCollum, either individually or in combination, do not disclose, teach or suggest at least the present invention's features of: "applying evaluation functions to said target rules that represent said codes, to identify applicable provisions of said codes; wherein a first evaluation function comprises one user's perspective of said codes; and wherein a second evaluation function comprises a triggering event relating to said codes; identifying applicable provisions of said codes based on said first and second evaluations, wherein said applicable provisions of said codes match said evaluation functions as applied to said target rules; and providing for said one user's use said applicable provisions of said codes", as recited in currently amended claims 16 and 30. Accordingly, Zambo and McCollum, either individually or in combination, fail to render obvious the subject matter of currently amended, independent claims 16 and 30, and dependent claims 17 and 31 under 35 U.S.C. §103(a). The rejection of canceled claims 18-22 and 32-41 is moot. Withdrawal of the rejection of claims 16-22 and 30-41 under 35 U.S.C. §103(a) as unpatentable over Zambo and McCollum is respectfully solicited.

## **VI. Formal Matters and Conclusion**

Claims 16, 17, 30, and 31 are pending in the application.

With respect to the objection to the drawings, Applicant has annotated the claims with respect to the elements of Fig. 1.

With respect to the rejections of the claims over 35 U.S.C. §§101, 112, first and second paragraphs, Applicant respectfully submits that the currently amended claims satisfy the statutory requirements of 35 U.S.C. §§101, 112, first and second paragraphs.

With respect to the rejections of the claims over the cited prior art, Applicants respectfully argue that the currently amended claims are distinguishable over the prior art of record. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections to the claims.

In view of the foregoing, Applicants submit that claims 16, 17, 30, and 31, all the claims presently pending in the application, are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest time possible.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,

Dated: October 7, 2008

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